



## LESSON 7

### Undocumented Immigrants

*You who are so called illegal aliens must know that no human being is "illegal." That is a contradiction in terms. Human beings can be beautiful or more beautiful, can be right or wrong, but illegal? How can a human being be illegal?*

~ Elie Wiesel, Nobel Peace Prize Laureate, "The Refugee" (1985)

# LESSON 7

## Undocumented Immigrants



### Goal

- » Understand the causes of undocumented immigration and how being undocumented affects the human rights of immigrants.

### Objectives

- » Students will learn basic facts about undocumented immigrants in the United States.
- » Students will examine the factors causing undocumented immigration and how these are related to U.S. immigration policy.
- » Students will understand how being undocumented affects the human rights of immigrants.

### Essential Questions

- » What causes undocumented immigration?
- » How should the human rights of undocumented immigrants be protected?

### Key Skill

- » Using a Venn diagram to compare and contrast (Activity 3).

### Teacher Advisory

Please read the Advisory on Immigration Status on page 20 before beginning this lesson.





### Materials

- ☑ *Handout 1: Facts about Undocumented Immigration*
- ☑ *Ch. 7 PowerPoint: Facts about Undocumented Immigration* (Download online.)
- ☑ *Handout 2: Stay or Go Stories*
- ☑ *Handout 3: Case Studies*
- ☑ *Answer Key: Case Studies*
- ☑ *Handout 4: Comparing Case Studies*
- ☑ *Sticky notes*

### Time Frame

2-3 class periods

### Vocabulary

-  **documented immigrant**
-  **illegal immigrant**
-  **unauthorized immigrant**
-  **undocumented immigrant**

## Knowing the Facts

**Procedure:**

**1. Define.** Take a moment at the beginning of the activity to help students understand the implications of the language that people use to talk about undocumented immigration. First, ask students to guess what the difference might be between an undocumented immigrant and a documented immigrant. What documents are the difference between the two kinds of immigrants? (Answer: currently valid immigration documents, like green cards.) Explain that many people who work for the rights of immigrants prefer to use the term “undocumented immigrant” to describe people who do not have legal permission to be in the United States.

One of the other terms that many people use is “illegal immigrant.” Write the words “undocumented” and “illegal” on each side of the board. Ask students to think of the emotions evoked by each word, or other words that they associate with the two words, and write their answers on the board under the appropriate word. Typically, the term “illegal” has many more negative associations than the term “undocumented.” Using the word “illegal” to talk about undocumented immigrants can be dehumanizing, so ask that students try to use “undocumented immigrants” throughout the rest of the lesson (and preferably whenever they talk about the issue). Another neutral alternative is “unauthorized immigrant.”



**2. Explain.** Give students an overview of the facts about undocumented immigration in the United States. Download the PowerPoint that accompanies Lesson 7 by visiting the online version of this curriculum at [www.energyofanation.org](http://www.energyofanation.org) and selecting “Education.” Students can also study *Handout 1: Facts about Undocumented Immigration*, which contains much of the same information as the PowerPoint. Ask students to write down one fact or statistic from the presentation or handout that they found interesting, surprising, or important.

**3. Create a fact wall.** Give students large post-it notes or pieces of paper with tape, and have them transfer their facts to the paper. Next, have students stick their papers up on one wall of the classroom. Ask students to try to group their notes next to others that have the same or a similar fact. Work with students as they place their facts on the wall to facilitate the grouping process. After all the facts are posted, the class can see a visual representation of what they thought about the information they just learned about undocumented immigration. As a class, discuss the result.

**Questions for Discussion**

- ? What facts were chosen most often by the class? Why?
- ? Did you have more questions about any of the information you learned in this activity?

**Recommended Extension**

**Watch a film.** There are several excellent movies about undocumented immigrants in the United States that put a human face on the issue. Some of them highlight the reasons that people come to the United States as undocumented immigrants, while others show what life is like for undocumented immigrants after they arrive. See the list of immigration-related films in Appendix C on page 289 for good choices.

## Stay or Go?

### Procedure:

**1. Explain.** Tell students that in this activity, they will be thinking about the decision people make to live in the United States as an undocumented immigrant. They will be listening to various stories and imagining themselves as the main character. At key turning points during the story, they will be asked to decide whether they would choose to live in the United States as an undocumented immigrant, if they were in the same situation as the main character. Remind students that people can become undocumented immigrants in two ways, either by crossing the border without permission (about 55% of the undocumented population) or staying in the United States after their legal status has expired (about 45% of the undocumented population). Some of the characters will be deciding whether to leave their homes and enter the United States without permission, while others will be deciding whether to remain in the United States after they have lost their legal status. In both cases, the choice is between living in their home country as a citizen or living in the United States as an undocumented immigrant.

**2. Prepare.** Ask students to sit in their seats, close their eyes, and place their heads down on the table. Explain that they are sitting this way so that everyone can vote on their decisions anonymously, and that after the story, you will tell them how many students voted to stay or go at each point in the game.

**3. Read.** Read each of the stories in *Handout 2: Stay or Go* to the class. When you reach a point in a story that says “Stay or Go,” pause. Record the number of students who vote to come to, or stay, in the United States, although it will mean they will become undocumented immigrants.

**4. Discuss.** After reading each story, ask students to sit up and open their eyes. Share with them the number of students who chose to live in the United States without status at each “Stay or Go” decision point. Invite students to share their reasoning with the rest of the class. If they chose to leave, when and why did they do so? If they chose to stay, how did they make that decision? After reading all of the stories, encourage further discussion with the following discussion questions:

### Questions for Discussion

- ? What reasons do people have for wanting to stay in their home country?
- ? What circumstances drive people to leave their home country?
- ? What opportunities draw people to the United States?
- ? What are the possible consequences of choosing to live in the United States as an undocumented immigrant?
- ? What are the possible consequences of choosing to live in a home country that is not safe, does not have adequate job opportunities, or is not good for your children?

## Undocumented vs. Documented

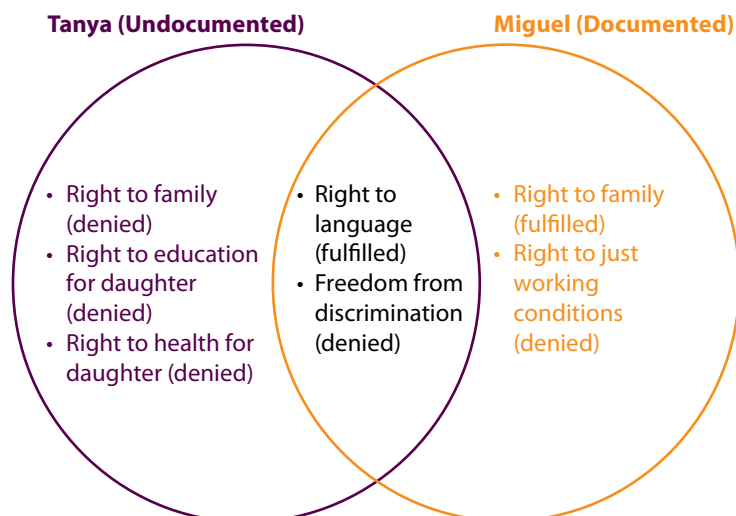
### Procedure:

**1. Review.** For this activity, make sure students understand basic human rights concepts, especially as they relate to immigration. Lesson 2 on page 31 and Lesson 3 on page 43 can help provide the background necessary for this activity.

**2. Demonstrate.** Tell students that they will now be comparing and contrasting the experiences of documented and undocumented immigrants using Venn diagrams, focusing especially on the human rights of both people. Model for the class how to use a Venn diagram for this kind of analysis. Draw two overlapping circles on the board, labeling one “Tanya (Undocumented)” and the other “Miguel (Documented).” Give students *Lesson 2 Handout 1: The Universal Declaration of Human Rights* (see page 37). Ask students to take a moment to read it over and re-familiarize themselves with the rights it contains. Read the following vignette. Ask students to use the UDHR as a guide and listen for moments when either Tanya, Miguel, or both have a human rights violated or fulfilled. They should note the rights in their notebook or on their UDHR.

*Miguel and Tanya are at the Department of Motor Vehicles one Saturday morning to apply for their first U.S. driver’s licenses. Miguel has a green card, but Tanya is an undocumented immigrant. Miguel came to the United States to join his wife, a U.S. citizen. Tanya tried to apply to join her brother, but was discouraged by the nine-year wait, so she decided to come on a temporary visa and then stayed after it expired. Neither of them speaks English very well, so they ask to take foreign language versions of the written exam. Both Miguel and Tanya pass their tests, and Miguel is given a driver’s license. He is very pleased, because his bus is not always on time, and his boss threatened to fire him if he was late again. His boss treats him differently than the other workers and makes rude comments about Mexicans. Tanya is denied a license, because she cannot prove that she has legal permission to be in the United States. She is worried about how she will take her daughter to school and to doctor appointments to treat her asthma. Her neighbors will not help her. Instead, they sometimes say things like “Speak English!” or “Go back to where you came from.”*

After reading the vignette, ask students to share the human rights issues they identified. Start with the human rights issues that Tanya experienced. As students share their answers, decide whether the right was violated or fulfilled. Then ask whether Miguel had a similar experience. If Miguel had a similar experience, put that human right in the space where the two circles overlap. If Miguel did not have a similar experience, put the right in the part of Tanya’s circle that does not overlap with Miguel’s. Repeat the process looking at human rights issues that affected Miguel. At the end, the diagram should look like the example below:



(continued on next page)

## Undocumented vs. Documented

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**3. Read and analyze.** Have students form small groups of 2-3 students. Students should keep out their copy of *Handout 1: The Universal Declaration of Human Rights* from Lesson 2. Pass out *Handout 3: Case Studies*, giving each story to about one quarter of the small groups. Small groups will be pairing up later, so make an equal number of documented and undocumented stories to use when dividing them up. Have the small groups read their case studies, noting places where the person's human rights were fulfilled or violated by the actions of either the government or other people. They should highlight the moment on their handout and write down what human right was affected. Teachers can use the answer key on page 134 to help students draw out all the human rights issues in the stories.

**4. Pair up.** Next, have each small group pair up with another small group that analyzed a different story. Groups that read a story about a documented immigrant should pair with one that read about an undocumented immigrant. Have the small groups fill in *Handout 4: Comparing Case Studies* using the analysis they just completed. Students can refer back to the Venn diagram they filled out as a class for a guide on how to fill in their handout. In some cases, both people in the stories will have had a right fulfilled or violated. Students should enter these answers in the shared space. In other cases, one of the individuals will have a right violated or fulfilled while the other person has no similar experience or an opposite outcome. Those answers should go in the parts of the circles that do not overlap.

**5. Reflect.** Once the small groups have finished filling out their Venn diagrams, bring students back together to discuss what they learned.

### Questions for Discussion

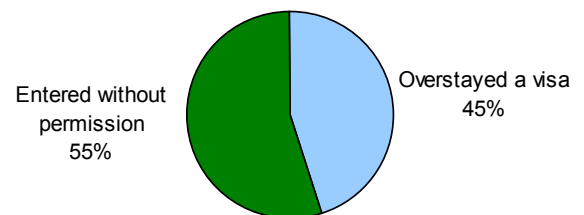
- ? What issues did the undocumented and documented immigrants have in common?
- ? What experiences were unique to undocumented immigrants?
- ? Why does not having a legal immigration status lead to the violation of seemingly unrelated rights such as the right to just working conditions or the right to housing?
- ? What could the United States do differently to protect the rights of undocumented immigrants? Who needs to act — the government or individuals or both?
- ? Should we be more respectful of the rights of undocumented immigrants? Are there reasons to protect or not to protect certain rights just because someone is undocumented?

## FACTS ABOUT UNDOCUMENTED IMMIGRATION

U.S. immigration laws provide a limited number of ways for people to immigrate permanently to the United States and limited numbers of visas for those who do qualify. People who want to join their family members may face long wait times or their U.S.-based family may not meet the income requirements to sponsor them. People coming to work must meet very strict requirements and employers must go through a lengthy and expensive process, which can make them less willing to sponsor immigrants. Many categories of workers are not eligible to immigrate at all or have so few visas that immigrating is virtually impossible. People facing persecution or unsafe environments in their home countries cannot always meet the high standard of proof required by the immigration system. Many people are unable to legally immigrate to the United States at all because they do not fit into one of the available categories or because they face personal bars to admission such as certain crimes or previous immigration violations

Even though the immigration system may not offer them a legal pathway, some people still want to come to the United States to join family, to work and make a good living, or to find safety. As a result, some people choose to come to the United States without a visa or to overstay a temporary visa once they arrive and are known as undocumented or illegal immigrants.<sup>1</sup> In 2010, the estimated undocumented population of the United States was 11.2 million, or 3.7% of the total population.<sup>2</sup>

**How undocumented immigrants entered the U.S.**

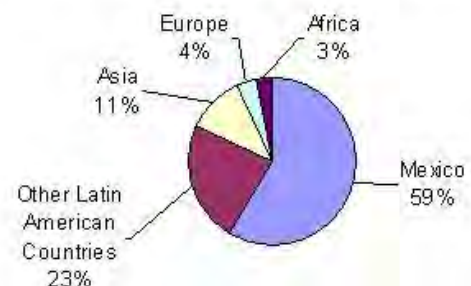


Life as an undocumented immigrant is very hard. Undocumented immigrants cannot legally work in the United States. To work, they must either use false documents and lie about their identity, or they must work for someone who does not follow proper employment laws and who may take advantage of them by paying very low wages or making them work in unsafe and unhealthy conditions. Undocumented immigrants are also not eligible for any public assistance other than emergency medical care, so they cannot get help if they cannot afford food or routine medical care. Finally, undocumented immigrants are always vulnerable to being arrested and deported, so they are often afraid of talking to government officials such as police officers, school administrators and teachers, or labor law enforcement. This can limit their ability to be safe from crime, get a good education for their children, or be protected from exploitative employers.

### Fast Facts<sup>3</sup>

- Half of all undocumented immigrants in the United States live in California, Texas, Florida, or New York.
- There are 1 million undocumented children in the United States. Another 4.5 million children have at least one undocumented parent.
- The number of undocumented immigrants in the United States has declined by 8% since 2007.

**Origins of undocumented immigrants**



1 Pew Hispanic Center, "Modes of Entry for the Unauthorized Migrant Population," May 22, 2006, <http://www.pewhispanic.org/files/factsheets/19.pdf>.

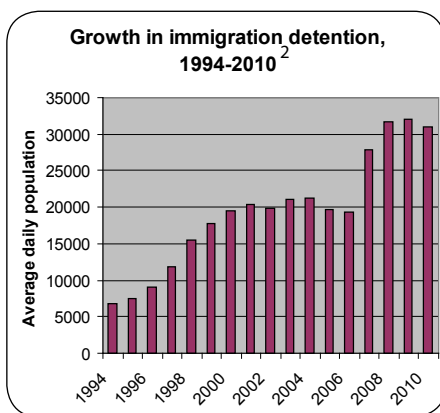
2 Jeffrey Passel and D'Vera Cohn, "Unauthorized Immigrant Population: National and State Trends, 2010," Pew Hispanic Center, February 1, 2011, <http://www.pewhispanic.org/2011/02/01/unauthorized-immigrant-population-national-and-state-trends-2010/>.

3 Ibid.

## FACTS ABOUT UNDOCUMENTED IMMIGRATION

Understanding the experience of undocumented immigrants also requires understanding how the United States enforces its immigration laws. Any person who is not a U.S. citizen can be detained and removed if they are found to have violated immigration laws. Undocumented people may be arrested and deported at any time if found by immigration officials. Refugees, permanent residents, and people on temporary visas all may be deported or refused permission to re-enter the United States if they violate the conditions of their visas, even if this might separate them from their family or their job.

Over 1 million family members have been separated by deportation between 1997 and 2007.<sup>1</sup>



### Immigration Enforcement

The U.S. immigration enforcement system is an enormous operation. In fiscal year 2009, Immigration and Customs Enforcement (ICE) completed 387,790 deportations.<sup>3</sup> In addition to overseeing deportation proceedings, ICE operates the largest detention program in the United States, with a total of 378,582 non-citizens from 221 countries in custody or supervised by ICE in fiscal year 2008.<sup>4</sup> Many people, including arriving asylum seekers and non-citizens convicted of certain crimes face mandatory detention without a hearing by a court. People in detention may spend weeks or months in jail while they wait for their hearing or pursue an appeal.

### Removal from the United States

In general, people accused of being in the United States in violation of immigration laws have a right to a hearing in front of an immigration judge. At the hearing, the judge decides whether there is sufficient evidence that the person is in the United States without permission or in violation of their immigration status. The judge also decides whether there is any defense the person can raise that will allow them to remain in the United States. While U.S. law provides that people in removal proceedings have “the privilege of being represented,” representation must be “at no expense to the Government.”<sup>5</sup>

U.S. immigration laws are strict. Undocumented people have few options to prevent deportation. An undocumented person who has lived in the United States for at least ten years, has “good moral character,” and whose deportation would result in *exceptional and extremely unusual* hardship to their U.S. citizen or lawful permanent resident children or spouse may apply for a waiver of deportation.<sup>7</sup> Victims of crimes, human trafficking, persecution, or domestic violence who are in deportation proceedings generally may ask the judge for protection. People deported from the United States are barred from returning for at least ten years.

In over half of all deportation cases, immigrants did not have access to a lawyer.<sup>6</sup>

1 US Immigration and Customs Enforcement, “Forced Apart (By the Numbers): Non-Citizens Deported Mostly for Nonviolent Offenses,” Human Rights Watch: 5, 64, April 15, 2009, <http://www.hrw.org/node/82173>.

2 Chad C. Haddal and Alison Siskin, “Immigration-Related Detention: Current Legislative Issues” (2010), *Federal Publications*, Paper 707, [http://digitalcommons.ilr.cornell.edu/key\\_workplace/707](http://digitalcommons.ilr.cornell.edu/key_workplace/707).

3 U.S. Department of Homeland Security, Annual Financial Report for Fiscal Year (FY) 2009. (Washington DC: March 17, 2010), [http://www.dhs.gov/xlibrary/assets/cfo\\_afrfy2009\\_vol1.pdf](http://www.dhs.gov/xlibrary/assets/cfo_afrfy2009_vol1.pdf), pg 12.

4 Dr. Dora Schriro, *Immigration Detention Overview and Recommendations* (Immigration and Customs Enforcement, Washington DC: Oct. 6, 2009), <http://www.ice.gov/doclib/about/offices/odpp/pdf/ice-detention-rpt.pdf>, pg 2.

5 INA § 235(b)(1)(B)(iii)(IV).

6 *Reforming the Immigration System*, pg 39.

7 INA § 240A(b).



## STAY OR GO STORIES

**Situation 1:** You live in a small town in Mexico. You married your childhood sweetheart and had three children. Your craft is farming; you grew up learning about the soil and how to keep your crops healthy. Lately, however, the government has stopped supporting small farmers and it has been difficult to make a living. You and your wife have been fighting about money and putting food on the table. You're only 29 – still young enough to farm for many more years or even learn a new trade and start over. You have heard there are opportunities in the United States. **Stay or go?** You have two cousins who went to the United States and got jobs. They sent home enough money to buy your aunt a nice new house. They promise you that they can get you a job and that in a few years, you will have a new house for your family, and maybe even a car. **Stay or go?** This summer, your region has experienced a horrible drought. Now, instead of being worried about buying new clothes, you are worried that your family may starve. Your oldest child drops out of school to earn some money doing dangerous construction work, even though he is only 12. You know he could be injured and should be in school, but he also has to eat. **Stay or go?** Two months later, your father dies, and your mother moves in with you. You are not sure how you can afford to feed another person. **Stay or go?**

**Situation 2:** You are 24 years old. You were born in Nigeria, spent a year in London, and then moved back to Nigeria. Three years ago, you were thrilled to learn you were accepted to study at Boston University for college. Now, as you finish your four years of college, you know that your visa is going to expire in a few months. You have to decide if you are going to return to Nigeria. You love Boston and all of your friends here. **Stay or go?** You hear in the news that the United States might pass comprehensive immigration reform soon, which would make it easier for you to get a permanent visa and find a job. You think the risk might be worth it. **Stay or go?** On Valentine's Day (a new holiday to you), one month before your visa is about to expire, you mention your concerns to your girlfriend. She says that she has been thinking about marrying you, but that she really wants to finish college first. She begs you to stay for another year so that she can finish college and find a good job before the wedding. **Stay or go?**

**Situation 3:** You are the young mother of a beautiful new baby girl. You live in the city of Kabul, Afghanistan. Your parents were always supportive of you, and despite the restrictions imposed by the Taliban, your mother and father provided you an excellent education at home. Even now that the Taliban has been overthrown, however, you don't feel like your values fit in and you are concerned about what life will be like for your daughter. You have a distant relative in the United States who has offered you a place to stay whenever you want. **Stay or go?** Your husband has been saving money to travel to the United States, and has found a woman who can sell you false passports that will get you past the border. You are sure that once you are in the United States, you can figure out a way to stay and work, even without valid visas. **Stay or go?** Fighting breaks out in Kabul, and you fear for your family's safety. It seems like it never stays peaceful and safe for long. As the fighting intensifies, you learn that one of your nephews who lives nearby has been killed by a stray bullet. **Stay or go?**

**Situation 4:** You are from Romania, and you have a smart, ten-year-old son who has a physical disability and is in a wheelchair. He is teased and marginalized in your home country, and there are few services for him. Your husband died, so now it is just you and your son. You decide to take your son on a trip to visit your best friend in the United States. You have temporary permission to be in the United States with a tourist visa. You immediately notice that public spaces are more accessible and there are many more social services for people with disabilities. Your visa expires in two months, and you know that you should buy your return plane ticket soon. **Stay or go?** You decide to enroll your son in a school, because it is the start of a new school year. He makes a new friend, is in mainstream classes, and seems much happier than you have ever seen him. **Stay or go?** At a parent-teacher conference, your son's new teacher mentions a medical group that specializes in your son's condition. When you go to your first appointment, the doctor is very optimistic that your son can become even more independent and mobile with a new treatment that is only available in the United States. Your tourist visa is now due to expire in only two weeks. **Stay or go?**



**CASE STUDIES**

**Alejandro**

**Alejandro’s Story (undocumented)**

**Human Rights Violated or Fulfilled**

When Alejandro was just eight months old, his parents brought him from Mexico to the United States. They were undocumented immigrants, and they never filed immigration papers because there was no visa category through which they were eligible for permanent residency.

As he grew up, Alejandro’s life was similar in many ways to that of many boys his age. He loved to play basketball and baseball, and he was good at math. Alejandro worked hard in high school, graduating near the top of his class. He dreamed of graduating from college and becoming a doctor. However, because he was an undocumented immigrant, Alejandro was not eligible for in-state tuition or any scholarships or financial aid for college. Unable to afford the education he dreamed of, Alejandro got a job working part-time stocking shelves at a grocery store.

One day, Alejandro went to a large party to celebrate the Fourth of July. The neighbors called the police about the noise. When the police came to break up the party, they noticed Alejandro and one of his Latino friends and questioned both of them about their immigration status. Two days later, immigration authorities came to Alejandro’s house at 5:00 am and arrested him. They handcuffed him and took him to an immigration detention center. Alejandro was given an orange jumpsuit and shackles to wear, and was not allowed to go outdoors. He had no contact with his parents, who were too afraid to visit him.

After more than three months, Alejandro was taken to court, where he faced an immigration judge. He had no lawyer and had never been given legal advice on his case. The judge decided to deport him. Alejandro had lived in the United States since he was a baby. In spite of this, he was deported back to Mexico, the country where he was born. Alejandro’s parents remained behind with his younger siblings, who are all U.S. citizens. Deportation cases are very difficult to reverse, so it is unclear when or if Alejandro’s family will be reunited.

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**CASE STUDIES**

**Nadif**

**Nadif’s Story (documented)**

When he was four years old, Nadif and his family fled Somalia and found their way to a refugee camp. During their flight, his uncle died, so his parents adopted his young cousin to raise as their own. After living as a family for five years in the refugee camp, Nadif thought of his cousin as a brother. In early 2001, he and his family came to the United States. However, U.S. immigration would not allow them to bring his cousin because he had not been officially adopted and was not an immediate relative. The cousin was left behind with friends and Nadif heard from him very infrequently after that.

Nadif had a difficult time at first, because so much was unfamiliar to him — the snow, the culture, and the way people talked. He remembers that he cried often. Over several months, however, the sadness of his loss began to fade. He was quickly learning English and he had made friends with other Somali kids in his building. He loved school and discovered that he adored math.

He had just started fourth grade when the attacks of September 11 took place. Nadif could tell that his teacher felt nervous for him, although he did not understand why. When he went home, he saw the images of the very tall buildings collapsing, and there was a lot of talk around his apartment complex, which had a lot of Somalis living in it. He became scared and asked his mother if they were again in danger. His mother explained that the people who carried out the attacks practiced the same religion they did, although they had not behaved in the way Allah would want them to. She said that Americans were sad and scared. They might treat Muslims differently for awhile.

Many people in his building stayed inside for days afterward, but his mother sent him to school, and his teacher said she was happy to see him. One of his friends wouldn’t talk to him, and some older kids started pushing him around on the playground. They got in trouble, and the principal held an all-school meeting to talk about fair treatment.

Over the years, Nadif felt that he lived a privileged life in many ways. He had parents who loved him and were able to provide for him. He had a supportive school environment. He now wants to be an accountant and provide free services to refugees in order to give back to his community.

**Human Rights Violated or Fulfilled**

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**CASE STUDIES**

**Ling**

**Ling’s Story (documented)**

Ling was born in China. From the time she was a small baby, her aunt and uncle have lived in the United States. Her aunt invited Ling’s family to join them there. Ling’s parents applied to immigrate to the United States, and it took ten years for their request to be granted. Finally, when Ling was 16, she and her parents came to the United States as documented immigrants. At first, Ling had trouble adjusting, since her life in the United States was so different from what it had been in China. Speaking English was very challenging for her. Her new school in America had limited numbers of English Language Learner (ELL) classes, and because the classes were so large, she got little individual attention. This made learning English much harder. Although she had studied how to read and write English at her school in China, she had trouble listening and speaking the language. Many of her classmates in non-ELL classes had little patience with Ling and her broken English. Due to this and the fact that she was an immigrant, she was often socially excluded at school.

After her high school graduation, Ling tried to get a job at a local factory that paid very good wages. They rejected her because she was an immigrant. When Ling mentioned this to her parents, they said it was illegal for the employer to discriminate against her. She decided to file a complaint with the government. The company had to pay a big fine and promise to change its policies in the future. Ling decided she no longer wanted to try to work for such a discriminatory employer, so she got a job working for a family friend in order to make some money.

Ling is now a college student studying art history. She dreams of becoming a curator at a museum. Although she had trouble settling into her life in the United States at first, she now plans to live here for the rest of her life and has decided to become a naturalized citizen.

**Human Rights Violated or Fulfilled**

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Right to family (fulfilled)

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Right to education (violated)

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Freedom from discrimination (violated)

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Freedom from discrimination (violated)

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Right to a remedy (fulfilled)

Right to desirable work (fulfilled)

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Right to education (fulfilled)

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## CASE STUDIES

### Alejandro

#### Alejandro’s Story (undocumented)

When Alejandro was just eight months old, his parents brought him from Mexico to the United States. They were undocumented immigrants, and they never filed immigration papers because there was no visa category through which they were eligible for permanent residency.

As he grew up, Alejandro’s life was similar in many ways to that of many boys his age. He loved to play basketball and baseball, and he was good at math. Alejandro worked hard in high school, graduating near the top of his class. He dreamed of graduating from college and becoming a doctor. However, because he was an undocumented immigrant, Alejandro was not eligible for in-state tuition or any scholarships or financial aid for college. Unable to afford the education he dreamed of, Alejandro got a job working part-time stocking shelves at a grocery store.

One day, Alejandro went a large party to celebrate the Fourth of July. The neighbors called the police about the noise. When the police came to break up the party, they noticed Alejandro and one of his Latino friends and questioned both of them about their immigration status. Two days later, immigration authorities came to Alejandro’s house at 5:00 am and arrested him. They handcuffed him and took him to an immigration detention center. Alejandro was given an orange jumpsuit and shackles to wear, and was not allowed to go outdoors. He had no contact with his parents, who were too afraid to visit him.

After more than three months, Alejandro was taken to court, where he faced a immigration judge. He had no lawyer and had never been given legal advice on his case. The judge decided to deport him. Alejandro had lived in the United States since he was a baby. In spite of this, he was deported back to Mexico, the country where he was born. Alejandro’s parents remained behind with his younger siblings, who are all U.S. citizens. Deportation cases are very difficult to reverse, so it is unclear when or if Alejandro’s family will be reunited.

#### Human Rights Violated or Fulfilled

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[Right to education \(fulfilled\)](#)

[Right to education \(violated\)](#)

[Right to desirable work \(fulfilled\)](#)

[Freedom from discrimination \(violated\)](#)

[Freedom from degrading treatment \(violated\)](#)

[Right to fair hearing \(violated\)](#)

[Freedom from arbitrary exile \(violated\)](#)

[Right to family \(violated\)](#)

## CASE STUDIES

### Ana

#### Ana's Story (undocumented)

Ana and her mother came to the United States from Russia as undocumented immigrants when she was 19 years old. Determined to do well, she entered English Language Learner (ELL) classes and she worked hard to learn English so she could communicate and succeed in the United States. Ana stayed late after classes and spent her weekends reading books in English. Within the next two years, she was able to enroll in a local community college.

Unfortunately, six months later, her mother became too sick to work. Because they were both undocumented, her mother was not eligible for any public benefits such as subsidized medical care or cash assistance. Ana was forced to drop out of school to work full time and support the family.

Ana found a job as line worker at a factory. At first, Ana was very pleased to have a paying job. After a few weeks, however, she discovered that her employer was very demanding. Her employer expected Ana to work from 5:00 am until late at night, doing very strenuous work with few breaks, though she was only paid for an eight-hour day. When Ana asked for either shorter working hours or overtime pay, her employer threatened to report Ana's immigration status to authorities. If this occurred, Ana could be deported back to Russia. Ana knew that another employee had tried to complain to the government agency in charge of enforcing labor laws, but had been deported before anything could happen with her case. Ana decided not to risk deportation and to put up with her employer's demands.

After a year of difficult work and little sleep, Ana became very sick. Her factory job offered no health insurance, so Ana couldn't afford to go to the doctor. When Ana asked for a sick day, her employer refused. Eventually, Ana became too sick to work. Her employer fired her, and refused to pay her for the last two weeks she had worked, taking away Ana's ability to support her mother and herself.

#### Human Rights Violated or Fulfilled

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Right to education (fulfilled)

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Right to social security (violated)

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Right to education (violated)

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Right to fair work conditions (violated)

Right to rest and leisure (violated)

Freedom from discrimination (violated)

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Right to equal protection (violated)

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Right to health (violated)

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Right to adequate standard of living (violated)

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**CASE STUDIES**

**Nadif**

**Nadif’s Story (documented)**

When he was four years old, Nadif and his family fled Somalia and found their way to a refugee camp. During their flight, his uncle died, so his parents adopted his young cousin to raise as their own. After living as a family for five years in the refugee camp, Nadif thought of his cousin as a brother. In early 2001, he and his family came to the United States. However, U.S. immigration would not allow them to bring his cousin because he had not been officially adopted and was not an immediate relative. The cousin was left behind with friends and Nadif heard from him very infrequently after that.

Nadif had a difficult time at first, because so much was unfamiliar to him — the snow, the culture, and the way people talked. He remembers that he cried often. Over several months, however, the sadness of his loss began to fade. He was quickly learning English and he had made friends with other Somali kids in his building. He loved school and discovered that he adored math.

He had just started fourth grade when the attacks of September 11 took place. Nadif could tell that his teacher felt nervous for him, although he did not understand why. When he went home, he saw the images of the very tall buildings collapsing, and there was a lot of talk around his apartment complex, which had a lot of Somalis living in it. He became scared and asked his mother if they were again in danger. His mother explained that the people who carried out the attacks practiced the same religion they did, although they had not behaved in the way Allah would want them to. She said that Americans were sad and scared. They might treat Muslims differently for awhile.

Many people in his building stayed inside for days afterward, but his mother sent him to school. His teacher said she was happy to see him. One of his best friends wouldn’t talk to him, however, and some older kids started pushing him around on the playground. They got in trouble, and the principal held an all-school meeting to talk about fair treatment.

Over the years, Nadif felt that he lived a privileged life in many ways. He had parents who loved him and were able to provide for him. He had a supportive school environment. He now wants to be an accountant and provide free services to refugees in order to give back to his community.

**Human Rights Violated or Fulfilled**

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Right to asylum (fulfilled)

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Right to family (violated)

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Right to education (fulfilled)

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Freedom from discrimination (violated)

Right to personal security (violated)

Freedom from discrimination (fulfilled)

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Right to family (fulfilled)

**COMPARING CASE STUDIES**

\_\_\_\_\_ (Documented)

(Undocumented) \_\_\_\_\_

